



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
COMPLIANCE AND
ENFORCEMENT

APR 29 2011

Reply to: OCE-133

CERTIFIED MAIL-7009 0820 0001 6410 0185

RETURN RECEIPT REQUESTED

WARNING LETTER

Dale and John DeVries, Owners/Operators
Mapleville Dairy Inc.
3992 Bowen Road
Sumas, Washington 98295

Re: February 2, 2011, NPDES Compliance Inspection
NPDES Identifier Number WAU000523

Dear Messrs. DeVries:

On February 2, 2011, the U.S. Environmental Protection Agency (EPA) inspected your facility to evaluate its compliance with the Clean Water Act (CWA). I would like to express my appreciation for your staff's time and cooperation during the inspection. At the time of inspection, the EPA inspector observed the following areas of concern:

Leaking Lagoon

At the dry cow facility, the lagoon was 99% full and was leaking in at least two locations. According to the inspector's report you contacted the Conservation District and were able to land apply during a dry period of time. Proper maintenance and inspections as well as proper storage handling should be followed. Discharges and improper maintenance could cause the lagoon to breach. If manure from the breached lagoon reached waters of the United States, you would be in violation of the CWA.

Potential for Discharge

1. The feed storage area had a storm drain near the feed storage bunkers and the main dairy. If runoff from this area were to enter the storm drain, it will most likely enter into Johnson Creek north of the main Dairy. This would be in a violation of the CWA.

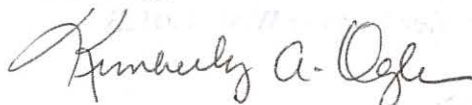
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2. The main dairy had evidence of manure track out at the barn entrance. The entrance is about 25 yards from Johnson Creek. Runoff with manure from this area could enter Johnson Creek and be considered a discharge. This would be a violation of the CWA.

The Concentrated Animal Feeding Operation (CAFO) regulations state "the owner or operator of a CAFO must seek coverage under an NPDES permit if the CAFO discharges". If your CAFO discharges, it will need to seek coverage under the NPDES program. Please follow up with Jon Jennings from Washington Department of Ecology for questions regarding your status as a CAFO and for obtaining coverage under the Washington General CAFO permit additionally work with Washington State Department of Agriculture regarding the above areas of concern.

Although our goal is to ensure facilities comply fully with the CWA, the ultimate responsibility rests with the facility. As such, I strongly encourage your company to continue its efforts to maintain full knowledge of the CWA and to take appropriate measures to ensure full compliance. If you have any questions concerning this matter, please call Steven Potokar, CAFO Enforcement Coordinator, at (206) 553-6354.

Sincerely,



Kimberly A. Ogle, Manager
NPDES Compliance Unit

cc: Nora Mena,
Washington State Department of Agriculture

Steven Hulbert,
Washington State Department of Agriculture

Richard Grout,
Washington Department of Ecology
Bellingham Field Office